

ESTTA Tracking number: **ESTTA169078**Filing date: **10/17/2007**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**Petition for Cancellation**

Notice is hereby given that the following party requests to cancel indicated registration.

Petitioner Information

Name	Adelchi Trading Inc.		
Entity	corporation	Citizenship	New York
Address	45 West 34th St. New York, NY 10001 UNITED STATES		

Attorney information	Peter D. Aufrichtig Aufrichtig Stein & Aufrichtig 300 E 42nd St. 2nd Fl New York, NY 10017 UNITED STATES peter@asapc.com, reine@asapc.com Phone: 212-557-5040
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Registration Subject to Cancellation

Registration No	2530037	Registration date	01/15/2002
Registrant	Thacker Group Limited 7 Anson Court, Honinglow Street Burton-upon-Trent Staffordshire DE14 ING, UNITED KINGDOM		

Goods/Services Subject to Cancellation

Class 025. First Use: 1997/05/00 First Use In Commerce: 1997/05/00
Cancelled goods and services in the class: clothing items, namely, shirts, blouses, ties, pants, sweatpants, shorts, shirts, jackets, visors, socks, sweaters, sweatshirts, coats, wind-resistant jackets, scarves, and shoes

Grounds for Cancellation

Abandonment	Trademark Act section 14
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Attachments	Pet Cancel HIPPO.pdf (7 pages)(185604 bytes)
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Signature	/Peter D. Aufrichtig/
Name	Peter D. Aufrichtig
Date	10/17/2007

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Trademark Registration No. 2,530,037
For the Mark HIPPO and Design
Registered on January 15, 2002

ADLECHI TRADING INC.,

Petitioner,

v.

HIPPO HOLDINGS LTD

Registrant.

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x

CANCELLATION NO.:

**UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451**

PETITION FOR CANCELLATION

Adelchi Trading Inc., a corporation organized and existing under the laws of the State of New York, having a principal place of business located at 45 West 34th St. New York, NY 10001 ("Petitioner"), believes that it will be damaged by U.S. Registration No. 2,530,037 for the mark HIPPO and Design registered on January 15, 2002 for "clothing items, namely, shirts, blouses, ties, pants, sweatpants, shorts, shirts, jackets, visors, socks, sweaters, sweatshirts, coats, wind-resistant jackets, scarves, and shoes" (the "Registration"), and hereby petitions for cancellation of this Registration.

To Petitioner's knowledge, the Registration's current owner of record is Hippo Holdings Ltd. (the "Owner"), with an address located at Burton-Upon-Trent, Mosley Business Park, Moseley Street, Staffordshire UK.

As grounds for cancellation, it is alleged that:

1. Petitioner is the owner of U.S. Application Serial No. 78/264,411 ("Petitioner's Application") for the mark HIPOPPOTAMUS ("Petitioner's Mark"), filed on March 1, 2006 and based upon use in interstate commerce in connection with "men's, women's and children's shoes" ("Petitioner's Products").
2. Registration No. 2,530,037, sought to be cancelled, is for the mark HIPPO and Design, ("Registered Mark"), for use in connection with "clothing items, namely, shirts, blouses, ties, pants, sweatpants, shorts, shirts, jackets, visors, socks, sweaters, sweatshirts, coats, wind-resistant jackets, scarves, and shoes" ("Registered Products").
3. It is Petitioner's belief that the Owner is no longer using this mark in connection with the goods as listed.
4. On October 31, 2005, the Owner assigned its rights in certain related marks to Outlook Sports Holdings, Ltd, the assigned marks were for the mark HIPPO (2,402,268), HOWSON (2,373,225) and HIPPO BEAST (2,373,225). The Owner did not include the Registered Mark in this assignment (See Attached Exhibit A)
5. Further, on February 8, 2007, the Owner filed a renewal for its related HIPPO word mark (2,402,268) and canceled all of the goods in class 25 except for hats (See Attached Exhibit B). No renewal has been filed for the Registered Mark at this time.
6. Accordingly, it is Petitioner's belief that the Owner is no longer using, and has thus abandoned, the Registered Mark with the listed goods and is subject to cancellation.

7. If, as the examining attorney maintains, there is a likelihood of confusion between Registrant's Mark and Petitioner's Mark, such likelihood of confusion will be avoided by canceling the Registration.

8. If the Owner is permitted to retain this Registration, and if, as the examining attorney for Petitioner's Application contends, there is a likelihood of confusion between Petitioner's Mark and Registered Mark, Petitioner's Application will not issue to registration, and Petitioner will not be afforded the benefits of registration conferred thereby.

WHEREFORE, Petitioner states that at least for the foregoing reasons, it is and will be damaged by the Registration, and petitions for cancellation thereof.

Respectfully submitted,

Dated: October 17, 2007
New York, New York

/Peter D. Aufrichtig/
Peter D. Aufrichtig
Aufrichtig Stein & Aufrichtig, P.C.
300 East 42nd Street, 5th floor
New York, New York 10017

EXHIBIT A



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Assignments on the Web > Trademark Query

Trademark Assignment Details

Reel/Frame: 3198/0090

Pages: 5

Received: 11/22/2005

Recorded: 11/22/2005

Attorney Dkt #: 47405.1

Conveyance: ASSIGNS THE ENTIRE INTEREST

Total properties: 3

1	Serial #: <u>75088334</u> Mark: HIPPO	Filing Dt: 04/12/1996	Reg #: <u>2402268</u>	Reg. Dt: 11/07/2000
2	Serial #: <u>75291502</u> Mark: HIPPO BEAST	Filing Dt: 05/13/1997	Reg #: <u>2373225</u>	Reg. Dt: 08/01/2000
3	Serial #: <u>75316962</u> Mark: HOWSON	Filing Dt: 06/30/1997	Reg #: <u>2457578</u>	Reg. Dt: 06/05/2001

Assignor

1 HIPPO HOLDINGS LIMITED

Exec Dt: 10/31/2005

Entity Type: CORPORATION

Citizenship: NONE

Assignee

1 OUTLOOK SPORTS (HOLDINGS) LTD.
MOSLEY BUSINESS PARK, MOSLEY STREET
BURTON-UPON-TRENT, STAFFORDSHIRE, UNITED KINGDOM DE14 1DW

Entity Type: CORPORATION

Citizenship: NONE

Correspondence name and address

THOMAS L. KAUTZ
ONE EAST BROWARD BOULEVARD
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FORT LAUDERDALE, FL 33301

Domestic representative

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EXHIBIT B



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Typed Drawing

Word Mark	HIPPO
Goods and Services	IC 025. US 022 039. G & S: clothing items, namely, [shirts, blouses, ties, pants, sweatpants, shorts, shirts, jackets,] hats [visors, socks, sweaters, sweatshirts, coats, wind resistant jackets, scarves and shoes]. FIRST USE: 19910600. FIRST USE IN COMMERCE: 19951212 IC 028. US 022 023 038 050. G & S: golfing equipment, namely, golf clubs, [golf balls,] golf bags, golf headcovers, [golf gloves, tees, divot tools, and bag stands]. FIRST USE: 19910600. FIRST USE IN COMMERCE: 19940330 (CANCELLED) IC 018. US 001 002 003 022 041. G & S: [duffle bags, gym bags, tote bags, hand bags, golf umbrellas and luggage]. FIRST USE: 19980610. FIRST USE IN COMMERCE: 19980610 (CANCELLED) IC 024. US 042 050. G & S: [golf bag towels]. FIRST USE: 19980610. FIRST USE IN COMMERCE: 19980610
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	75088334
Filing Date	April 12, 1996
Current Filing Basis	1A
Original Filing Basis	1B
Published for Opposition	November 16, 1999
Change In Registration	CHANGE IN REGISTRATION HAS OCCURRED
Registration Number	2402268
Registration Date	November 7, 2000
Owner	(REGISTRANT) HIPPO HOLDINGS LIMITED CORPORATION UNITED KINGDOM MOSELY